



IFW/DAC

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Ronald W. Fechter et al. ) Art Unit: 3679  
)  
Application No.: 10/665,789 ) Examiner: Victor L. Macarthur  
)  
Filed: September 18, 2003 )  
)  
For: ATTACHMENT DEVICE FOR A )  
LOAD-BEARING MEMBER )  
)  
Attorney Docket No.: 03-143 )  
\_\_\_\_\_ )

Peoria, Illinois  
February 23, 2006

Mail Stop PETITION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## PETITION TO REVIVE UNINTENTIONALLY ABANDONED PATENT APPLICATION UNDER 37 C.F.R. § 1.137(b)

An Office action was issued on June 28, 2005 ("the Office action"). The Office action contained only restriction requirements. The Office action set a shortened statutory period of one month for a reply. The maximum time period allowable for a reply, including extensions available under 37 C.F.R. § 1.136, was six months (one month shortened statutory period, plus a five month extension). Thus, the time period for reply expired on December 28, 2005.

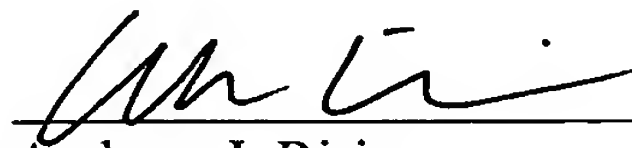
In response to the Office action, applicants made a *bona fide* attempt to submit a full reply thereto on July 25, 2005. However, a notice of incomplete response was issued on September 19, 2005. A second *bona fide* attempt to submit a full reply to the Office

action was made on September 28, 2005. However, a notice of incomplete response was issued on December 16, 2005.

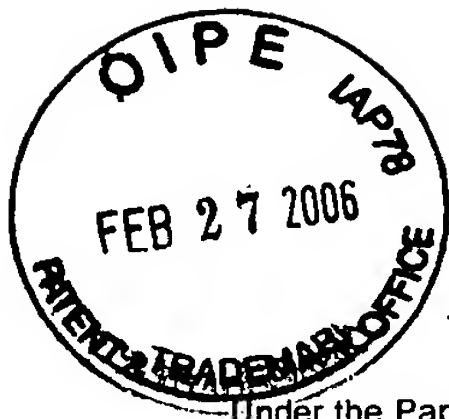
Applicants are submitting herewith a reply to the Office action which, applicants believe, is a full response to the requirements of the Office action. A petition for a five month extension of time for the reply also accompanies.

Applicants did not receive a copy of the second notice of incomplete response that was mailed on December 16, 2005. The issuance of this second notice was not discovered until February, 2006, after checking the status of the application in PAIR. From the time the second reply was submitted on September 28, 2005, until the second notice of incomplete response was discovered in February, 2006, applicants believed that the requirements of the Office action had been fulfilled. Therefore, the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional.

Respectfully submitted,

  
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Registration No. 45,597

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# FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,500

## Complete if Known

Application Number	10/665,789
Filing Date	09/18/2003
First Named Inventor	Ronald W. Fechter ET AL.
Examiner Name	Victor L. Macarthur
Art Unit	3679
Attorney Docket No.	03-143

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 03-1129  
Deposit Account Name:

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	385	Utility filing fee	
1002	350	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	790	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2002	9	Claims in excess of 20	
1201	88	2001	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	210	Extension for reply within second month	
1253	980	2253	475	Extension for reply within third month	
1254	1,530	2254	740	Extension for reply within fourth month	
1255	2,080	2255	1,005	Extension for reply within fifth month	
1401	340	2401	165	Notice of Appeal	
1402	340	2402	165	Filing a brief in support of an appeal	
1403	300	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	665	Petition to revive - unintentional	1,500
1501	1,370	2501	665	Utility issue fee (or reissue)	
1502	490	2502	240	Design issue fee	
1503	660	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,500

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Andrew J. Ririe	Registration No. (Attorney/Agent)	45,597	Telephone	(309) 636-1974
Signature		Date	02/23/2006		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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